

FILEDUNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT

NOV 12 2024

for the
District of New MexicoMITCHELL R. ELFERS
CLERK OF COURT

United States of America)

v.)

Case No: 24-1634 MJ

Eynier ARREDONDO-Torres)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of November 08, 2024 in the county of Hidalgo in the State and District of New Mexico, the defendant violated 8 U.S.C. §1324(a)(1)(A)(v)(I)(Conspiracy to Violate 1324 - All subsections), an offense described as follows:

Knowingly, intentionally, and unlawfully conspired, combined, confederated and agreed with others known and unknown, to commit offenses against the United States, namely: to transport, move, and attempt to transport and move an alien within the United States by means of transportation and otherwise

This criminal complaint is based on these facts:

On November 8, 2024, Border Patrol Agent (BPA) One was assigned to patrol in the Lordsburg Station's Area of Responsibility (AOR). At approximately 3:35 p.m., BPA One was parked near the 36-mile marker on New Mexico Highway 81 (NM HWY 81), alongside Hidalgo County Sheriff's Office Deputy One. Deputy One was running traffic operations, and he informed BPA One that he was going to be performing a traffic stop on an orange Ford Edge for travelling 67 miles per hour in a posted 35 mile per hour zone. BPA One informed Deputy One that he would back him up on his traffic stop. The Ford Edge yielded to Deputy One's emergency equipment and came to a stop near the 37-mile marker on NM HWY 81.

☒ Continued on the attached sheet.

by telephone. KS

Sworn to before me and signed in my presence.


Date: November 10, 2024

City and state: Las Cruces, N.M.


Complainant's signature

Matthew Tripi, Border Patrol Agent

Printed name and title


Judge's signature

Kevin R. Sweazea, U.S. Magistrate Judge

Printed name and title

CONTINUATION OF CRIMINAL COMPLAINT

STATE AND DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

V.

Eynier ARREDONDO-Torres

Continuation of Statement of Facts:

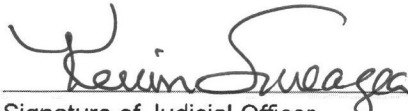
As Deputy One walked up on the driver's side of the vehicle, BPA One positioned himself behind the Ford Edge to provide Deputy One any assistance that he would require. Deputy One instructed the driver (later identified as Defendant ARREDONDO-Torres, Eynier) to roll down all the windows in the vehicle, and BPA One heard Defendant ARREDONDO-Torres say something to the effect of, "you got me". Deputy One asked for more clarification, but Defendant ARREDONDO-Torres just repeated himself. Deputy One then instructed Defendant ARREDONDO-Torres to exit the vehicle and to talk to BPA One. As Defendant ARREDONDO-Torres was walking to the rear of the vehicle, BPA One looked through the rear window and saw multiple subjects attempting to conceal themselves in the rear cargo space of the vehicle.

Seeing the subjects attempting to conceal themselves in the rear cargo space of the vehicle and hearing Defendant ARREDONDO-Torres' utterances lead BPA One to believe that there was a human smuggling scheme taking place, and that an immigration inspection was necessary. BPA One then detained Defendant ARREDONDO-Torres and walked around to the rear passenger side door and looked through the window. Inside the vehicle BPA One saw a young boy sitting in the front passenger seat, two subjects laying on the middle row floorboards, two subjects laying in the rear cargo space unrestrained, and an unrestrained infant laying on the seat in the middle row. BPA One then identified himself as a Border Patrol Agent and performed an immigration inspection on all the adult subjects in the vehicle. All four adult subjects stated that they were citizens of Mexico present in the United States without any documents allowing them to reside or travel in the United States legally. Talking further with the subjects, BPA One identified the parents for the young boy and the infant. The mother stated that her children were also citizens of Mexico present in the United States without any documents allowing them to reside or travel in the United States legally. At approximately 3:52 p.m. BPA One placed Defendant ARREDONDO-Torres under arrest for transporting illegal aliens and BPA One placed the additional subjects under arrest for illegally entering the United States without inspection. All subjects were subsequently transported to the Lordsburg Border Patrol Station for further processing.

Upon arrival to the Lordsburg Station, BPA One conducted a post Miranda interview with Defendant ARREDONDO-Torres with BPA Two witnessing. No promises or threats of any kind were made at any time to Defendant ARREDONDO-Torres. At 7:32 p.m. BPA One read Defendant ARREDONDO-Torres his rights via the government form I-214. Defendant ARREDONDO-Torres stated he was willing to discuss the circumstances of his apprehension. Defendant ARREDONDO-Torres stated that he was offered a job by an unknown subject via WhatsApp. This unknown subject offered Defendant ARREDONDO-Torres an undisclosed amount of money to take water down to illegal aliens on NM HWY 81. Defendant ARREDONDO-Torres accepted the job offer, and when he arrived at the drop-off location, he delivered the water to an unknown subject. Upon receiving the water, the unknown subject called a group of illegal aliens out of the brush, and they jumped into Defendant ARREDONDO-Torres' vehicle. Defendant ARREDONDO-Torres stated that he wasn't sure where he was supposed to take the illegal aliens, but he stated that he was going to take them to Phoenix, Arizona unless he was directed to take them somewhere else. BPA One then concluded the interview.

At 8:10 p.m., AUSA Sarah Davenport was presented the facts of the case, and she accepted prosecution on Defendant ARREDONDO-Torres, Eynier, for 8 USC 1324 Conspiracy to Transport.

Continuation of Statutory Language:



Signature of Judicial Officer



Signature of Complainant

Tripi, Matthew

Filing Agent